

## DETAILED ACTION

### *Status of the Claims*

1. Claims 1-29 and 31-33 are allowed.

### *Election/Restrictions*

2. Claims 1-15, 29, 31-33 directed to an allowable product. Pursuant to the procedures set forth in MPEP § 821.04(B), claims 16-28, directed to the process of making or using an allowable product, previously withdrawn from consideration as a result of a restriction requirement, are hereby rejoined and fully examined for patentability under 37 CFR 1.104.

Because all claims previously withdrawn from consideration under 37 CFR 1.142 have been rejoined, **the restriction requirement as set forth in the Office action mailed on 11/01/2010 is hereby withdrawn.** In view of the withdrawal of the restriction requirement as to the rejoined inventions, applicant(s) are advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application. Once the restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 443 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

### EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided

by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jomy Methipara on November 22, 2011.

The application has been amended as follows:

In Claim 16 A process for sampling and transporting a fluid sample using ~~the electrochemical cell as defined in claim 1, an electrochemical cell, the process comprising steps consisting of:~~

providing a receiving device for receiving a fluid sample, which is configured so as to form an electrode that is accessible to be electrically connected to an electrical generator, the receiving device comprising, an end part having at least one cavity which opens to an exterior via an opening, said cavity being equipped with a base, wherein said end part exhibits a first electrically insulating hydrophobic zone which is adjacent to the cavity opening and a second electrically conducting hydrophilic zone which is adjacent to the first electrically insulating hydrophobic zone and which at least partially covers the base of the cavity such that, when said end part is immersed in a fluid and then emerges from the fluid, said cavity retains part of said fluid by means of capillary action, a cavity depth/opening diameter ratio varying in a range from 0.01 to 1;

a)—— immersing the end part comprising said cavity in a container containing the fluid to be sampled, and then removing the end part from the container; and

b)——bringing said end part into contact with a solid substrate.

In Claim 26, line 1 **inserted** --for forming an electrochemical cell, the process-- after the words "A process".

4. The following is an examiner's statement of reasons for allowance: the cited prior art (Moore et al. WO 00/25923) teaches a dropping tool connected to piezoelectric or electromagnetic device for transferring drop of liquid (see abstract) which is comprised of end part (near the tip) with a recess (97) and end part has a hydrophobic layer (96) which is at the periphery of the recess opening (see figure 9). An electrically conducting hydrophilic zone (98) is located adjacent to the hydrophobic layer and covers the base of the recess which has the size of 0.1 mm. However, **Moore does not teach an electrochemical cell comprising the dropping tool to receive and transfer liquid which is connected electrically to an electrical generator.**

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GURPREET KAUR whose telephone number is (571)270-7895. The examiner can normally be reached on Monday-Friday 9:00-5:30pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey T. Barton can be reached on (571)272-1307. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/G. K./  
Examiner, Art Unit 1759

/Alex Noguera/  
Primary Examiner, Art Unit 1759  
November 30, 2011